126442-100010

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:                                    )    Group Art Unit: 1635

Vadrucci, Sonia et al.                                   )    Examiner: Schnizer, Richard A.

                                              )    Confirmation No.: 1323

Serial No.: **10/719,662**                               )

Filed: November 21, 2003                                 )

For:   **High-Efficiency Fusogenic Vesicles, Methods of Producing Them, and Pharmaceutical Compositions Containing Them**

## RESPONSE TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

      Transmitted herewith is a Response to the March 7, 2006 Office Action in the above-identified application.

- **DOCUMENTS ENCLOSED:**

      ☒    Response to Restriction Requirement

- **REQUEST FOR EXTENSION OF TIME:**

      ☒    Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

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### CERTIFICATE OF MAILING
### (37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

*Rebekka C. Noll*

Name of Person Mailing Paper

May 8, 2006
Date of Deposit

| EXTENSION (months) | FEE FOR SMALL ENTITY | FEE FOR OTHER THAN SMALL ENTITY |
|---|---|---|
| ☒ one month | $60.00 | $120.00 |
| ☐ two months | $225.00 | $450.00 |
| ☐ three months | $510.00 | $1020.00 |
| ☐ four months | $795.00 | $1,590.00 |
| ☐ five months | $1,080.00 | $2,160.00 |

**Fee    $60.00**

☐ An extension for          months has already been secured and the fee paid therefor of          is deducted from the total fee due for the total months of extension now requested.

☒ Extension fee due with this Request $60.00.

☒ If an additional extension of time is required, please consider this a petition therefor.

## FEES FOR CLAIMS:

☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Total Claims | | - | 20 | = | 0 | x | $50.00 | $0.00 |
| Independent Claims | | - | 3 | = | 0 | x | $200.00 | $0.00 |
| Multiple Dependent Claims | $360 | (if applicable) | | | | ☐ | $0.00 |
| **TOTAL OF ABOVE CALCULATIONS** | | | | | | | $0.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. | | | | | | ☐ | $0.00 |
| **TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH** | | | | | | | $0.00 |

## FEE PAYMENTS:

☐ A check in the amount of _____ is enclosed to cover the above fee(s).

☒ Charge Jones Day's Deposit Account No. **50-2468** in the amount of **$60.00**.

☒ The Commissioner is authorized to charge Jones Day's Deposit Account No. **50-2468** for any fees required under 37 CFR §§ 1.16, 1.17, and 1.20(d) that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-2468**.

Respectfully submitted,

JONES DAY

Dated: <u>5/8/2006</u>

By: _____
Rebekka C. Noll
Reg. No. 46,962

555 South Flower Street, Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 489-3939
Facsimile: (213) 243-2539

In re Application of: )
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

## PROVISIONAL ELECTION OF CLAIMS

Applicants hereby respond to the Office Action mailed March 7, 2006. In the Office

Action, the Examiner has required Applicants to elect a group from Group I (claims 1-16 and

38), Group II (claims 17-35), Group III (claim 37), Group IV (claim 37), Group V (claim 37),

Group VI (claim 37), Group VII (claim 37), Group VIII (claim 37), Group IX (claim 37), Group

X (claim 37), and Group XI (claim 37) for examination in this application. Applicants

provisionally elect Group I pursuant to the Examiner's request. As explained below, this

election is with traverse, as applicants seek reconsideration and modification of the restriction

requirement.